

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY POWER COMPANY D/B/A	)	
AMERICAN ELECTRIC POWER	)	
	)	
_____	)	CASE NO. 96-446
	)	
ALLEGED FAILURE TO COMPLY WITH	)	
COMMISSION REGULATION 807 KAR	)	
5:006, SECTION 25(4)(d)	)	

O R D E R

Kentucky Power Company, d/b/a American Electric Power ("Kentucky Power"), is a Kentucky corporation engaged in the generation, transmission, and distribution of electricity to the public for compensation for lights, heat, power, and other uses and is a utility subject to Commission jurisdiction. KRS 278.010.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated 807 KAR 5:006, Section 25, which requires utilities to adopt procedures for the periodic inspection of utility facilities. Specifically, 807 KAR 5:006, Section 25(4)(d), requires an electric utility to inspect all lines operating at less than 69 KV, including insulators, conductors, and supporting facilities, at intervals not to exceed two years.

Commission Staff submitted to the Commission a Utility Accident Investigation Report dated August 2, 1996, attached hereto as Appendix A, which alleges that on July 8, 1996, two employees of BellSouth Telecommunications, Inc. were on ladders splicing telephone cable at Kentucky Power electric pole No. 768-d-31 in Martin County,

Kentucky. The electric pole fell and they were thrown to the ground. Both individuals were bruised and one sustained electrical burns.

By letter to the Commission Staff dated July 10, 1996, Kentucky Power discussed the facts and circumstances surrounding the accident and stated that the pole that fell was last inspected on October 11, 1993. The Utility Accident Investigation Report noted a probable violation of 807 KAR 5:006, Section 25(4)(d), due to the absence of an inspection of pole No. 768-d-31 within two years.

The Commission, on its own motion, HEREBY ORDERS that:

1. Kentucky Power shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Utility Accident Investigation Report.


2. Kentucky Power shall appear on October 18, 1996 at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purposes of presenting evidence concerning the incident which is the subject of the Utility Accident Investigation Report, specifically the alleged violation of Commission regulation 807 KAR 5:006, Section 25(4)(d), and of showing cause, if any it can, why it should not be subjected to the penalties of KRS 278.990 for its alleged failure to comply with the aforementioned Commission regulation.


3. The Utility Accident Investigation Report dated August 2, 1996 is hereby made a part of the record of this case.

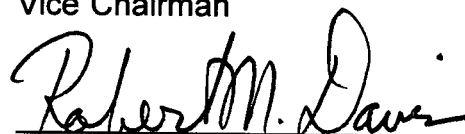
4. Any request for an informal conference with Commission Staff shall be set forth in writing and filed with the Commission within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 17th day of September, 1996.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director

## APPENDIX A

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 96-446  
 August 2, 1996 DATED SEPTEMBER 17, 1996.

Page 1

### UTILITY ACCIDENT INVESTIGATION REPORT

<b>Utility:</b>	American Electric Power - Pikeville Division				
<b>Reported By:</b>	Mr. Bill England				
<b>Dates &amp; Times</b>					
<b>Accident Occurred:</b>	07/08/96 - approximately 2:00 p.m.				
<b>Utility Notified:</b>	07/08/96 - 3:30 p.m. (Possible injury)				
<b>PSC Notified:</b>	07/08/96 - 4:35 p.m.				
<b>Investigated:</b>	07/09/96				
<b>Written Report Rcvd:</b>	07/15/96				
<b>Location of Accident:</b>	1.2 miles up KY 908 on Coldwater Branch in Martin County, Kentucky.				
<b>Description of Accident:</b>	John Thompson and Ellis Pennington were splicing telephone cable at Pole #768-d-31. Both men were on ladders when the pole fell. The pole appeared to be six feet three inches in the ground and was rotten at the ground line. The primary conductor broke loose from the insulator when the pole fell and struck a pine tree approximately twelve feet away. The conductor struck the ladder Mr. Pennington was standing on or struck Mr. Pennington. Both men fell from their ladders.				
<b>Victims:</b>					
<b>Name:</b>	Mr. Ellis Pennington	<b>Fatal:</b>	No	<b>Age:</b>	49
<b>Addr./Empl.:</b>	Flatgap, Kentucky/BellSouth				
<b>Injuries:</b>	Electrical burns on left side and right ankle. There were also bruises.				
<b>Name:</b>	Mr. John Thompson	<b>Fatal:</b>	No	<b>Age:</b>	49
<b>Addr./Empl.:</b>	Raccoon, Kentucky/BellSouth				
<b>Injuries:</b>	Bruises				
<b>Witnesses:</b>	<b>Name</b>	<b>Address/Employment</b>			
	There were no witnesses.				
<b>Sources of Information:</b>	<b>Name</b>	<b>Address/Employment</b>			
	Mr. Bill England	American Electric Power			
	Mr. Denver L. Thompson	BellSouth			

	Mr. Ellis Pennington	BellSouth			
	Mr. Larry J. Thomas	BellSouth			
	Mr. John Thompson	BellSouth			
<b>Probable Violations:</b>	The American Electric Power Company - Pikeville Division was in probable violation of 807 KAR 5:006, General Rules, Section 25. Inspection of Systems (4) Electric Utility Inspection (2)d.				
<b>Line Clearances At Point of Accident:</b>	<b>Measured</b>	<b>Minimum Allowed by NESC</b>	<b>Applicable NESC Edition<sup>1</sup></b>	<b>Volt.</b>	<b>Constr. Date</b>
N/A	N/A	N/A	N/A	19,000	1945
<b>Date of Measurement:</b>	N/A				
<b>Approximate Temp.:</b>	75° F				
<b>Measurements Made By:</b>	N/A. There were no vertical line measurements made due to the nature of the accident.				
<b>Investigated By:</b>	Robert Ueltschi/E. Vern Miracle, PSC Engineering Staff				
<b>Signed:</b>	<i>Robert Ueltschi E. Vern Miracle</i>				

Attachments A. American Electric Power's Accident Report  
 B. Location of Accident Site  
 C. Photographs of Accident Site

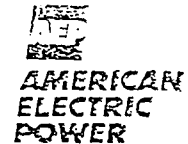
xc: Vern Miracle

<sup>1</sup> Current edition adopted by the Commission. If clearances are not in compliance with the current edition, then the edition in effect when the facilities were last constructed or modified would apply.

## Attachment A

### American Electric Power's Accident Report

BILL ENGLAND  
OPERATIONS SPECIALIST  
AEP KENTUCKY REGION  
3249 NORTH MAYO TRAIL  
PIKEVILLE KY. 41501



July 10, 1996

RECEIVED

JUL 15 1996

Robert Ueltschi  
Public Service Commission  
Frankfort, Kentucky 40620

DIVISION OF UTILITY  
ENGINEERING & SERVICES

At 2:01p.m. July 08, 1996 Pikeville dispatcher received a call from our call center reporting an electrical power outage in the Coalwater Branch of Martin County Kentucky. Sam Whitt general servicer for this area was dispatched to restore service. Sam was working in the upper portion of Coalwater branch and proceeded to patrol the line on the way to the take-off pole # 768-c-231 serving Coalwater branch. This section of single phase 19.9kv line is protected by a 70 amp ocr [oil circuit recloser]. After not seeing any possible problems or receiving any reported problems from the Pikeville dispatcher on this section on line, Sam proceeded to close the o.c.r. on pole #768-c-231, in an attempt to restore service. The o.c.r. operated and opened. Sam proceeded to pole # 768-41, and opened the o.c.r. on this pole and returned to pole #768-c-231 and attempted to close the line for the second time. This time the line also operated and opened. Sam then started to patrol the line again and this time a customer flagged him down and reported seeing a flash on the other side of the creek behind the tree line. Sam went to this location and found pole # 768-d-31 down on the ground. Two Bell South ladders and tools were also at the location. Both ladders were still attached to the telephone cable, also on the ground and still attached to the pole. Sam looked over the site and was unable to locate anyone. He walked back off the hill looking for the telephone company vehicles, but did not find any signs of the telephone employees or their vehicles. He returned to his service truck and called the dispatcher in Pikeville, reporting what he had found. Dispatcher in Pikeville still did not have any report of anyone injured at this time.

Eugene Hatfield, Line Crew Supervisor in the South Williamson area, overheard the conversation on the company radio, and started trying to contact Bell South to find out if they had any employees in the area. He called S. Allen, no answer; Oscar Blackburn, no answer. Then he contacted Earl Thacker but he did not know of any problems, but gave him the telephone number of Denver Thompson, Supervisor at Belfry. Eugene talked with Denver at 3:55 p.m. and he stated that he knew of the situation. He had two employees working on ladders at that location on Coldwater Branch. He said the pole had fallen and one employee had burns and bruises; and the other employee had bruises only. Both employees refused to seek medical attention. Eugene was given the names of Ellis Pennington and John Thompson as the injured employees.

Eugene Hatfield contacted Nathan Kirk, Customer Service Superintendent, at 4:05 p.m. Nathan relayed the information to me at approximately 4:10 p.m.

I called Denver Thompson regarding the accident. He states that John Thompson was with him and I talked with John. He stated they had been working at the location all day and were about to finish the job of splicing the telephone cable. Ellis Pennington had gone down his ladder and tied the splice cover on John's rope for him to pull up and place on his splice. Ellis went back up his ladder, then the pole fell. Denver Thompson stated they had sounded the pole before initiating the work.

Robert Ueltschi

Page 2

July 10, 1996

I contacted the P.S.C. at 4:34 p.m. and information was given to Martha Morton. I then proceeded to Martin County to investigate the accident. I arrived at the location at 6:20 p.m. and met Sam Whitt. One roll of 24 exposure 35 mm film was taken of the accident site, which is located 1.2 miles up State Route 908 Coldwater Branch. Pictures of the site are included with this report.

The pole was a 35' class 6 installed in June 1945 with a single phase #4 cu. primary and neutral conductors. The pole also had two telephone cables attached. The pole appeared to be 6' 3" in the ground. Last pole inspection was on 10/11/93. The pole was rotten at the ground line and was covered with red ants. The pole appeared to be hollow at least four feet up from the ground line.

It appeared the primary conductor was broken loose from the insulator when the pole fell and contacted a pine tree approximately twelve feet away. The conductor fell striking Ellis or the ladder he was standing on.

Ellis Pennington 49 years old of Flatgap, Ky. had an electrical burn on his left side ribcage and right ankle with bruises.

John Thompson 49 years old of Raccoon, Ky. had bruises only.

Robert Ueltsch called and left a message for me to return his call. I called Robert at approximately 9:45 p.m. and a time was set to go to the accident site at 9:30 a.m. on 7/9/96. We met with Larry Thomas and Denver Thompson of Bell South at the site at that time. The Bell South ladders and a portion of the pole had been moved by Pike Electrical Contractor in order to replace the pole.

On 7/9/96 Denver Thompson, Bell South, reported that both injured employees were checked by a physician, at Bell South's request.

Also attached is a company map of the pole location.



BILL ENGLAND  
OPERATIONS SPECIALIST

cc: Fred Long  
Terry Hall  
Valarie Matters



---

**Attachment B**  
**Location of Accident Site**



---

Attachment C  
Photographs of Accident Site

